



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

MICHAEL ANTHONY SARRATT, §
Plaintiff, §
§
vs. § CIVIL ACTION NO. 2:06-3422-HFF-RSC
§
NFN DAUGHTERY, Director of Greenville §
County Detention Center, a/k/a Dorriety, et al. §
Defendants. §

ORDER

This case was filed as a 42 U.S.C. § 1983 action. Plaintiff is proceeding pro se. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting that Defendants' motion for summary judgment be granted as to Plaintiff's federal claims, the Court decline to exercise supplemental jurisdiction over Plaintiff's state law claims, Plaintiff's motion for summary judgment be denied, and all other outstanding non-dispositive motions be deemed moot. The Report is made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may

accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on July 16, 2007, and the Clerk of Court entered Plaintiff's objections to the Report on August 17, 2007. The Court has exhaustively reviewed the objections, but finds them to be without merit. Therefore, for the reasons set forth in the Report, the Court will enter judgment accordingly.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court adopts the Report to the extent that it does not contradict this Order and incorporates it herein. Therefore, it is the judgment of this Court that (1) Defendants' motion for summary judgment is **GRANTED** as to Plaintiff's federal claims, (2) the Court **DECLINES** to exercise supplemental jurisdiction over Plaintiff's state law claims, (3) Plaintiff's motion for summary judgment is **DENIED**, and (4) all other outstanding non-dispositive motions are deemed **MOOT**.

Furthermore, the Magistrate Judge's decision to deny Plaintiff's Motion to Appoint counsel is **AFFIRMED** for the reasons set forth in the Magistrate Judge's Order. [Doc. 18.]

IT IS SO ORDERED.

Signed this 20th day of August, 2007, in Spartanburg, South Carolina.

s/ Henry F. Floyd
HENRY F. FLOYD
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified of the right to appeal this Order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.